

# TEMPORARY

No. 71644-T

## TEMPORARY

### APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 03 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed SEP 20 2004

\*\*\*\*\*

The applicant **Victoria Resources (U.S.) Inc.**, hereby make application for permission to change the **point of diversion and place of use of a portion** of water heretofore appropriated under **#24664 (Certificate #7293)**

\*\*\*\*\*

1. The source of water is **underground (Mill Canyon well)**
2. The amount of water to be changed **0.06 c.f.s. (25 g.p.m.)**
3. The water to be used for **mining, milling and domestic**
4. The water heretofore permitted for **mining, milling and domestic**
5. The water is to be diverted at the following point **within NW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 28, T.27N., R.48E., M.D.M., from which the NW corner of Section 2, T.26N., R.48E., bears S.43°47'E., 10,291 feet distant.**
6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 24, T.27N., R.47E., M.D.M. from which the W $\frac{1}{4}$  corner of Section 18, T.27N., R.48E., bears N.7°52'16"E., 4,600.34 feet distant.**
7. Proposed place of use **T.27N., R.48E.: portions of Sections 2, 3, 4, 8, 9,10, 11, 14, 15-22, 27-29, 32 and 33 (see enclosed project map)**
8. Existing place of use **T.27N., R.47E.: Sections 13, 24, 25 (unsurveyed) T.27N., R.48E.: Sections 18, 19, 30**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled and cased well; submersible pump and motor, storage tanks.**
12. Estimated cost of works **estimate: \$40,000.00**
13. Estimated time required to construct works **one month**
14. Estimated time required to complete the application of water to beneficial use **three years**
15. Remarks: **Copy of letter of authorization to use water permitted to Cortez Gold Mine is enclosed.**

By s/ **William A. Nisbet**  
**William A. Nisbet Agent**  
**421 Court Street**  
**Elko, NV 89801**

Compared ag/dl ag/sam  
Protested \_\_\_\_\_

\*\*\*\*\*

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 24664, Certificate 7293 is issued subject to the terms and conditions imposed in said Permit 24664, Certificate 7293 and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits Permit 24663, Certificate 7292; 24664, Certificate 7293; 46224, Certificate 12482; 46225 Certificate 12483; 58187-E; 58188-E; 58189-E; 58190-E; 58191-E; 58192-E; 58985-E; 59339; 59340; 64545; 68518 and 71644-T shall not exceed 1035.4 acre-feet annually.

This temporary permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter. Include these pumping records in the quarterly pumping report submitted by Cortez.

(CONTINUED ON PAGE 3)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **December 9, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.06 cubic feet per second, but not to exceed 43.44 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed on or before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

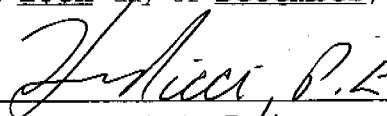
Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 10th day of December, A.D. 2004

  
\_\_\_\_\_  
State Engineer

**EXPIRED**  
**DATE** , DEC 09, 2005

**TEMPORARY**